

AMENDMENTS TO LB 314

Introduced by Appropriations.

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. DEFINITION OF APPROPRIATION PERIOD.

4 For purposes of this act and any other legislative bill
5 passed by the One Hundred First Legislature, First or Second
6 Session, which appropriates funds, FY2008-09 means the period July
7 1, 2008, through June 30, 2009, FY2009-10 means the period July 1,
8 2009, through June 30, 2010, FY2010-11 means the period July 1,
9 2010, through June 30, 2011, FY2011-12 means the period July 1,
10 2011, through June 30, 2012, and FY2012-13 means the period July 1,
11 2012, through June 30, 2013.

12 Sec. 2. APPROPRIATION LANGUAGE.

13 There are hereby appropriated, for FY2009-10 and
14 FY2010-11, the sums set forth in this act to each agency for
15 each program from the respective funds for capital construction
16 projects, land acquisition, lease-purchase arrangements, and major
17 equipment acquisition, except as otherwise appropriated.

18 Sec. 3. REAPPROPRIATION OF BALANCE, FY2009-10 to
19 FY2010-11.

20 In addition to the appropriations set forth in this
21 act, there are hereby reappropriated all unexpended appropriation
22 balances existing on June 30, 2010, for FY2010-11 to the respective
23 agencies, programs, and funds listed in this act, except as

1 otherwise provided in this act.

2 Sec. 4. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

3 The definitions contained in the Nebraska Accounting
4 System Manual, and any amendments thereto, on file with the Clerk
5 of the Legislature are hereby adopted by the Legislature as the
6 definitions for this act.

7 Sec. 5. DRAWING AND PAYING WARRANTS.

8 The Director of Administrative Services shall draw
9 warrants upon the proper fund in the state treasury for an amount
10 not to exceed the appropriations set forth in this act upon
11 presentation of proper documentation. The State Treasurer shall pay
12 the warrants out of the appropriate funds.

13 Sec. 6. It is the intent of the Legislature that
14 the appropriations for capital facilities follow an orderly and
15 reasonable process based upon defined and documented need and an
16 analysis of the utilization of existing facilities.

17 The biennial appropriations contained in this act
18 covering FY2009-10 and FY2010-11, which have been designated for
19 planning, require from the agency a complete program statement
20 prepared in accordance with the Procedural Manual for Capital
21 Construction as approved by the state building division of
22 the Department of Administrative Services. Projects directly
23 related to program continuation such as fire and life safety,
24 maintenance, utility improvements, handicapped access, and master
25 planning require a statement of needs prepared in accordance with
26 the manual. An appropriation for drawings and construction may
27 be recommended only after submission of an acceptable program

1 statement or statement of needs on or before September 15 to the
2 state building division, the budget division of the Department of
3 Administrative Services, and the Legislative Fiscal Analyst.

4 Program statements that have been submitted prior to
5 FY2009-10 shall be updated if necessary and resubmitted during
6 the period July 1, 2009, to September 1, 2009. Program statements
7 that have been submitted prior to FY2010-11 shall be updated
8 if necessary and resubmitted during the period July 1, 2010, to
9 September 1, 2010, by agency priority. Such priority shall be
10 subject to final modification by the governing authority of each
11 agency on or before September 15, 2010.

12 Sec. 7. It is the intent of the Legislature that agencies
13 should construct or renovate facilities in such a manner as
14 to provide the greatest cost-effective energy savings possible.
15 Design criteria emphasizing efficiency, functionality, and energy
16 conservation shall be reflected in program statements, schematic
17 design documents, design development documents, and construction
18 documents. The state building division of the Department of
19 Administrative Services and the State Energy Office shall provide
20 technical assistance to the state agencies, upon request, to assist
21 them in providing for energy-efficient new or renovated facilities.

22 Sec. 8. AGENCY NO. 33 - GAME AND PARKS COMMISSION

23 Program No. 900 - State Park System Facility Improvements

24		FY2009-10	FY2010-11	FUTURE
25	CASH FUND	125,000	125,000	-0-
26	PROGRAM TOTAL	125,000	125,000	-0-

27 The Game and Parks Commission is hereby authorized to

1 maintain and improve basic facilities of the state park system.
2 There is included in the appropriation to this program for
3 FY2009-10 \$50,000 cash funds and for FY2010-11 \$50,000 cash funds
4 for this purpose.

5 The Game and Parks Commission is hereby authorized to
6 develop new, maintain, and improve boating facilities. There is
7 included in the appropriation to this program for FY2009-10 \$75,000
8 cash funds and for FY2010-11 \$75,000 cash funds for this purpose.

9 Sec. 9. AGENCY NO. 33 - GAME AND PARKS COMMISSION
10 Program No. 901 - State Parks Facilities Deferred
11 Maintenance

	FY2009-10	FY2010-11	FUTURE
12 CASH FUND	300,000	300,000	-0-
13 PROGRAM TOTAL	300,000	300,000	-0-

14 The Game and Parks Commission is hereby authorized to
15 make deferred repairs and maintenance improvements at facilities in
16 the state park system and replace and upgrade facilities in the
17 state park system with the appropriation to this program.

18 Sec. 10. AGENCY NO. 33 - GAME AND PARKS COMMISSION
19 Program No. 924 - Wildlife Land Acquisition and
20 Improvements

	FY2009-10	FY2010-11	FUTURE
22 CASH FUND	200,000	200,000	-0-
23 PROGRAM TOTAL	200,000	200,000	-0-

24 The Game and Parks Commission is hereby authorized to
25 acquire and develop wildlife lands and waters statewide with the
26 appropriation to this program.
27

1 Sec. 11. AGENCY NO. 33 - GAME AND PARKS COMMISSION

2 Program No. 967 - Improvements to State Parks

3		FY2009-10	FY2010-11	FUTURE
4	CASH FUND	850,500	472,500	-0-
5	PROGRAM TOTAL	850,500	472,500	-0-

6 The Game and Parks Commission is hereby authorized to
7 make state parks improvements statewide with the appropriation to
8 this program.

9 It is intended that the following projects be undertaken
10 with funds appropriated to this program for FY2009-10:

11 Repair and Update Pond and Sewage Facility to Lodging
12 Facilities - Ponca State Park - 350,000

13 Heating, Ventilative, and Air-condition Lodge - Fort
14 Robinson - 150,000

15 Update and renovate 16 cabins - Mahoney State Park -
16 200,000

17 Upgrade and Repair Swimming Pool - Chadron State Park -
18 50,000

19 Upgrade and renovate cabins - Platte River State Park -
20 60,000

21 Major State Park Contingency for cost overruns in Program
22 967 - 40,500

23 It is intended that the following projects be undertaken
24 with the funds appropriated to this program for FY2010-11:

25 Update and renovate 16 cabins - Mahoney State Park -
26 200,000

27 Utilities upgrade and new water tower - Ponca State Park

1 - 250,000

2 Major State Park Contingency for cost overruns in Program

3 967 - 22,500

4 Sec. 12. AGENCY NO. 33 - GAME AND PARKS COMMISSION

5 Program No. 969 - Improvements to State Recreation Areas

6		FY2009-10	FY2010-11	FUTURE
7	GENERAL FUND	165,000	-0-	-0-
8	CASH FUND	246,750	29,500	-0-
9	PROGRAM TOTAL	411,750	29,500	-0-

10 The Game and Parks Commission is hereby authorized
11 to make state recreation area improvements statewide with the
12 appropriation to this program.

13 It is intended that the following projects be undertaken
14 with funds appropriated to this program for FY2009-10:

15 Contingency-Rec Areas - Statewide - 11,750

16 Interpretive Displays - Lake McConaughy State Recreation
17 Area - 125,000

18 Maintenance Shop Upgrade - Pawnee Lake State Recreation
19 Area - 60,000

20 Water Treatment Plant Replacement - Rock Creek Station
21 State Recreation Area - 50,000

22 Addition to Visitor Center Planning and Construction -
23 Wildcat Hills State Recreation Area - 165,000

24 It is intended that the following projects be undertaken
25 with funds appropriated to this program for FY2010-11:

26 Contingency-Rec Areas - Statewide - 4,500

27 Service Hook-ups to Electrical Pads - Willow Creek State

1 Recreation Area - 25,000

2 Sec. 13. AGENCY NO. 33 - GAME AND PARKS COMMISSION

3 Program No. 971 - Improvements to Special Use Areas
4 (Wildlife Management Areas)

5		FY2009-10	FY2010-11	FUTURE
6	CASH FUND	325,000	325,000	-0-
7	PROGRAM TOTAL	325,000	325,000	-0-

8 The Game and Parks Commission is hereby authorized
9 to make improvements statewide to basic facilities at wildlife
10 management areas.

11 Sec. 14. AGENCY NO. 33 - GAME AND PARKS COMMISSION

12 Program No. 972 - Improvements to Administrative
13 Facilities

14		FY2009-10	FY2010-11	FUTURE
15	CASH FUND	75,000	75,000	-0-
16	PROGRAM TOTAL	75,000	75,000	-0-

17 The Game and Parks Commission is hereby authorized to
18 make general improvements and repairs to the central and district
19 offices.

20 Sec. 15. AGENCY NO. 33 - GAME AND PARKS COMMISSION

21 Program No. 973 - Improvements to Fish Production
22 Facilities

23		FY2009-10	FY2010-11	FUTURE
24	CASH FUND	1,000,000	1,000,000	-0-
25	PROGRAM TOTAL	1,000,000	1,000,000	-0-

26 The Game and Parks Commission is hereby authorized to
27 make fisheries improvements statewide, such as improvements to

1 hatcheries and the acquisition and development of fishing access
2 facilities, with the appropriation to this program.

3 Sec. 16. AGENCY NO. 33 - GAME AND PARKS COMMISSION
4 Program No. 975 - Emergency Repairs to State Park System
5 Areas

	FY2009-10	FY2010-11	FUTURE
6 CASH FUND	75,000	75,000	-0-
7 PROGRAM TOTAL	75,000	75,000	-0-

9 The Game and Parks Commission is hereby authorized to
10 make emergency repairs statewide to facilities in the state park
11 system with the appropriation to this program.

12 Sec. 17. AGENCY NO. 33 - GAME AND PARKS COMMISSION
13 Program No. 976 - Emergency Repairs - Fish and Wildlife
14 Facilities

	FY2009-10	FY2010-11	FUTURE
15 CASH FUND	50,000	50,000	-0-
16 PROGRAM TOTAL	50,000	50,000	-0-

17 The Game and Parks Commission is hereby authorized to
18 make emergency repairs statewide to hatcheries, wildlife management
19 areas, refuges, and other facilities related to fish and wildlife
20 management with the appropriation to this program.

21 Sec. 18. AGENCY NO. 33 - GAME AND PARKS COMMISSION
22 Program No. 977 - Nongame-Endangered Species

	FY2009-10	FY2010-11	FUTURE
23 CASH FUND	200,000	-0-	-0-
24 PROGRAM TOTAL	200,000	-0-	-0-

25 The Game and Parks Commission is hereby authorized to

1 acquire and develop wildlife lands for the benefit of nongame and
2 endangered species and public use facilitation statewide.

3 Sec. 19. AGENCY NO. 33 - GAME AND PARKS COMMISSION

4 Program No. 981 - Aquatic Habitat Enhancement and
5 Restoration

6		FY2009-10	FY2010-11	FUTURE
7	CASH FUND	3,000,000	3,000,000	-0-
8	PROGRAM TOTAL	3,000,000	3,000,000	-0-

9 The Game and Parks Commission is hereby authorized
10 to enhance and rehabilitate aquatic habitat statewide with the
11 appropriation to this program.

12 Sec. 20. AGENCY NO. 33 - GAME AND PARKS COMMISSION

13 It is the intent of the Legislature that the Game and
14 Parks Commission shall apply for and make maximum use of federal
15 funding on all capital construction projects which are eligible
16 for such assistance. It is the intent of the Legislature that all
17 funds appropriated to the Game and Parks Commission for capital
18 construction projects shall only be spent for the purpose of the
19 original appropriation.

20 Sec. 21. AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL
21 SERVICES

22 Program No. 913 - Security Systems Upgrade

23		FY2009-10	FY2010-11	FUTURE
24	GENERAL FUND	1,855,000	1,500,000	1,500,000
25	PROGRAM TOTAL	1,855,000	1,500,000	1,500,000

26 The Department of Correctional Services is hereby
27 authorized to upgrade security system components at various

1 Department of Correctional Services Facilities statewide.

2 It is intended that the following projects be undertaken
3 with funds appropriated to this program:

4 Replace Perimeter Security Lights on the Old Campus -
5 Nebraska Correctional Center for Women

6 Replace Perimeter Security Fencing on Old Campus -
7 Nebraska Correctional Center for Women

8 Replace Perimeter Detection System - Lincoln Correctional
9 Center/Diagnostic and Evaluation Center

10 Install Rooftop Security Fence Above Front Entrance -
11 Lincoln Correctional Center

12 Install Rooftop Security Fence Above Entrance -
13 Diagnostic and Evaluation Center

14 Perimeter Fencing Upgrade between Entrance and Tower 1 -
15 Diagnostic and Evaluation Center

16 Replace Razor Ribbon on Exterior Security Fence - Omaha
17 Correctional Center

18 Install Exterior Security Lights - Community Corrections
19 Center at Omaha

20 Replace Exterior Security Lights - Nebraska State
21 Penitentiary

22 Control Center Modifications in Buildings A and C for
23 Department of Correctional Services Inmate Population - Work Ethic
24 Camp

25 Closed Circuit Surveillance Camera Improvements - Various
26 Facilities

27 Sec. 22. AGENCY NO. 47 - NEBRASKA EDUCATIONAL

1 TELECOMMUNICATIONS COMMISSION

2 Program No. 911 - Digitization (DTV) Equipment and
3 Satellite Bandwidth Replacement

4		FY2009-10	FY2010-11	FUTURE
5	NEBRASKA CAPITAL	4,692,327	-0-	-0-
6	CONSTRUCTION FUND			
7	PROGRAM TOTAL	4,692,327	-0-	-0-

8 The Legislature hereby acknowledges and reaffirms
9 the directive made by Laws 1999, LB 878, section 30, which
10 authorizes the Nebraska Educational Telecommunications Commission
11 (NETC) to digitize the NETC transmission signal and to replace
12 satellite transponder capacity. This project should be completed
13 in FY2009-10.

14 (1) On or before August 31, 2010, any funds appropriated
15 from the State Building Fund and the Nebraska Capital Construction
16 Fund for the digitization equipment project and the satellite
17 transponder capacity replacement project held in the state treasury
18 and held by the trustee which are not necessary to meet the terms
19 of any long-term financing agreements entered into pursuant to this
20 section shall be transferred to the General Fund.

21 (2) The commission may expend funds appropriated to
22 Program 533 to meet incidental administrative expenses associated
23 with the digitization equipment project and the satellite
24 transponder capacity replacement project. The commission may also
25 expend federal funds and private gifts and donations for the same
26 purposes.

27 (3) It is the intent of the Legislature that the Nebraska

1 Educational Telecommunications Commission submit quarterly reports
2 with regard to the costs and associated funding of the digitization
3 equipment project as contained in Program 911, according to the
4 procedures established by the Chief Information Officer (CIO).

5 Sec. 23. AGENCY NO. 47 - NEBRASKA EDUCATIONAL
6 TELECOMMUNICATIONS COMMISSION

7 Program No. 922 - Final DTV Transmitter Conversion

8		FY2009-10	FY2010-11	FUTURE
9	NEBRASKA CAPITAL	900,000	-0-	-0-
10	CONSTRUCTION FUND			
11	PROGRAM TOTAL	900,000	-0-	-0-

12 The Legislature hereby acknowledges and reaffirms the
13 directive by Laws 2007, LB320, section 30, which authorized the
14 Nebraska Educational Telecommunications Commission to complete
15 the conversion of the existing NETC system to the new DTV
16 system through upgrades to existing statewide transmission systems,
17 translators, transmitters, and through the removal of antennas,
18 transmission lines, and other outdated equipment associated with
19 the conversion process.

20 Sec. 24. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE
21 NEBRASKA STATE COLLEGES

22 Program No. 919 - State College Facilities Program

23		FY2009-10	FY2010-11	FUTURE
24	GENERAL FUND	1,125,000	1,125,000	10,125,000
25	REVOLVING FUND est.	1,200,000	1,200,000	10,800,000
26	PROGRAM TOTAL	2,325,000	2,325,000	20,925,000

27 The Legislature hereby acknowledges and reaffirms the

1 directive made by Laws 2006, LB 605, sections 5, 6, and 7, which
2 authorizes the Board of Trustees of the Nebraska State Colleges
3 to make expenditures from the State College Facilities Program
4 exclusively for deferred maintenance, repair, and renovation
5 projects outlined in section 6 of LB 605.

6 Sec. 25. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE
7 NEBRASKA STATE COLLEGES

8 Program No. 920 - Board Facilities Fee Fund Projects

9		FY2009-10	FY2010-11	FUTURE
10	REVOLVING FUND est.	957,340	957,340	8,616,060
11	PROGRAM TOTAL	957,340	957,340	8,616,060

12 The Legislature hereby acknowledges and reaffirms
13 provisions of section 85-328 which authorize amounts accumulated in
14 the State College Facility Fee Fund to be expended for the purpose
15 of paying the cost of capital improvement projects approved by the
16 Board of Trustees of the Nebraska State Colleges for facilities on
17 campuses or lands owned or controlled by the board.

18 Sec. 26. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

19 Program No. 906 - System Facilities Fee Fund Projects

20		FY2009-10	FY2010-11	FUTURE
21	CASH FUND est.	5,200,000	-0-	-0-
22	PROGRAM TOTAL	5,200,000	-0-	-0-

23 The Legislature hereby acknowledges and reaffirms the
24 directive made by Laws 1998, LB 1100, sections 3 and 4, which
25 authorizes the Board of Regents of the University of Nebraska to
26 complete various renewal and renovation projects on all university
27 campuses with the appropriation to this program.

1 Sec. 27. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA
2 Program No. 920 - University of Nebraska Facilities
3 Program

	FY2009-10	FY2010-11	FUTURE
4 GENERAL FUND	11,000,000	11,000,000	99,000,000
5 CASH FUND est.	5,500,000	11,000,000	94,632,546
6 PROGRAM TOTAL	16,500,000	22,000,000	193,632,546

8 The Legislature hereby acknowledges and reaffirms the
9 directive made by Laws 2006, LB 605, sections 2, 3, and 4,
10 which authorizes the Board of Regents to make expenditures from
11 appropriated funds for the University of Nebraska Facilities
12 Program exclusively for deferred maintenance, repair, renovation,
13 facility renovation, and facility replacement projects as outlined
14 in section 3 of LB 605.

15 Sec. 28. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA
16 Program No. 930 - NCTA Education Center

	FY2009-10	FY2010-11	FUTURE
17 GENERAL FUND	-0-	-0-	11,986,135
18 NEBRASKA CAPITAL	-0-	803,000	-0-
19 CONSTRUCTION FUND			
20 PROGRAM TOTAL	-0-	803,000	11,986,135

22 The Board of Regents of the University of Nebraska is
23 hereby authorized to design and construct an Education Center at
24 the Nebraska College of Technical Agriculture. The total project
25 cost to be supported from state funds is \$8,762,000. Nonstate tax
26 funds of \$1,000,000 shall be used to supplement the project.

27 The Board of Regents may enter into long-term financing

1 contracts with any person, firm, or corporation for the Education
2 Center project. The payments of the costs of the project may
3 occur over a contract period not to extend beyond June 30, 2025.
4 The Board of Regents shall not pledge the credit of the State
5 of Nebraska for the payment of any sum owing on account of such
6 contracts, except that there may be pledged for payment of any
7 such contracts any appropriations made by the Legislature for
8 such purpose. No contracts shall be entered into pursuant to
9 this section without prior approval by resolution of the Board of
10 Regents. The Board of Regents may schedule contractual payments on
11 a monthly, quarterly, or semiannual basis consistent with the state
12 fiscal year. On or before August 31, 2025, any funds appropriated
13 from the Nebraska Capital Construction Fund and the General Fund
14 for the project held in the state treasury and held by any
15 trustee which are not necessary to meet the terms of any long-term
16 financing agreements entered into pursuant to this section shall be
17 transferred to the General Fund.

18 Sec. 29. LEGISLATIVE APPROVAL FOR HIGHER EDUCATION
19 FACILITIES EXPENDITURES

20 Pursuant to the provisions of section 85-408 and a
21 recommendation for approval by the Coordinating Commission for
22 Postsecondary Education, the Legislature hereby approves the
23 request by the University of Nebraska for the expenditure of
24 \$4,960,000 from bond surplus funds for the partial renovation of
25 Men's Hall and Randall Hall at the University of Nebraska at
26 Kearney.

27 Sec. 30. LEGISLATIVE APPROVAL FOR HIGHER EDUCATION

1 FACILITIES EXPENDITURES

2 Pursuant to the provisions of sections 85-404 and 85-408
3 and a recommendation for approval by the Coordinating Commission
4 for Postsecondary Education, the Legislature hereby approves
5 the request by the University of Nebraska for a \$16,800,000
6 parking structure at 19th and Vine Streets at the University of
7 Nebraska-Lincoln. The parking structure shall be financed from
8 bonds issued under the University's Master Trust Indenture and
9 parking surplus funds which will be repaid by net parking revenue.

10 Sec. 31. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
11 SERVICES

12 Program No. 901 - State Capitol Improvements

13		FY2009-10	FY2010-11	FUTURE
14	NEBRASKA CAPITAL	1,000,000	1,000,000	-0-
15	CONSTRUCTION FUND			
16	PROGRAM TOTAL	1,000,000	1,000,000	-0-

17 The State Capitol Administrator is hereby authorized
18 to undertake projects identified within the Master Plan for
19 the Conservation and Restoration of the Nebraska State Capitol.
20 Prior to expending any amounts appropriated in this section, the
21 State Capitol Administrator shall identify projects planned to be
22 undertaken with such amounts and shall submit such plans to the
23 Nebraska Capitol Commission for approval. There is included in
24 the appropriation to this program \$1,000,000 for FY2009-10 and
25 \$1,000,000 for FY2010-11 from the Nebraska Capital Construction
26 Fund for such purpose. Of the amount appropriated for FY2009-10,
27 not less than \$150,000 shall be allocated for conservation and

1 restoration of Capitol space occupied by the Legislature. Of the
2 amount appropriated for FY2010-11, not less than \$150,000 shall
3 be allocated for conservation and restoration of Capitol space
4 occupied by the Legislature.

5 Sec. 32. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
6 SERVICES

7 Program No. 913 - Parking Expansion

8		FY2009-10	FY2010-11	FUTURE
9	REVOLVING FUND	2,169,630	-0-	-0-
10	PROGRAM TOTAL	2,169,630	-0-	-0-

11 The Legislature hereby acknowledges and reaffirms the
12 directive made by Laws 1996, LB 1189, section 53, which authorized
13 the Department of Administrative Services to construct two
14 additional levels of parking to the state's east garage in Lincoln
15 and one additional level of parking to the state's south garage
16 in Lincoln, along with related repair and restoration items, and
17 which authorized the state building division of the Department of
18 Administrative Services to enter into contracts with the city of
19 Lincoln or any person, firm, or corporation in order to construct
20 such additional parking and to proceed with financing the project
21 for a period not to exceed twenty years.

22 There is included in the appropriation to this program
23 for FY2009-10 \$2,169,630 from the Capitol Buildings Parking
24 Revolving Fund to be applied toward retirement of remaining
25 obligations entered into to finance the projects.

26 Sec. 33. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
27 SERVICES

1 Program No. 920 - Executive Office Building and Parking
2 Facility Purchase

3		FY2009-10	FY2010-11	FUTURE
4	REVOLVING FUND	1,624,360	-0-	-0-
5	PROGRAM TOTAL	1,624,360	-0-	-0-

6 The Legislature hereby acknowledges and reaffirms the
7 directive made by Laws 1999, LB 878, section 54, which authorized
8 the Department of Administrative Services to purchase the Executive
9 Office Building and the parking facility located at the corner of
10 13th and K Streets in Lincoln, Nebraska. The department was further
11 authorized to enter into a contract or contracts with such entity
12 or entities as necessary to facilitate financing the purchase.

13 There is included in the appropriation to this program
14 for FY2009-10 \$1,624,360 from the State Building Revolving Fund to
15 be applied toward retirement of remaining obligations entered into
16 to finance the project.

17 Sec. 34. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
18 SERVICES

19 Program No. 933 - Acquisition of Property within and in
20 close proximity to the Capitol Environs District

21		FY2009-10	FY2010-11	FUTURE
22	NEBRASKA CAPITAL	-0-	13,080,000	-0-
23	CONSTRUCTION FUND			
24	PROGRAM TOTAL	-0-	13,080,000	-0-

25 (1) The Legislature hereby acknowledges and reaffirms the
26 directive made by Laws 2007, LB 320, section 45, which authorized
27 the Department of Administrative Services to purchase property

1 located within the Nebraska State Capitol Environs District, or in
2 proximity to it, as such property becomes available. The Department
3 of Administrative Services is also authorized to enter into
4 long-term financial agreements in order to acquire such property.
5 Prior to finalization of any long-term financing agreements, the
6 Governor's approval shall be obtained. Such long-term agreements
7 shall not extend beyond June 30, 2014. There is included in the
8 appropriation to this program for FY2010-11 \$10,980,000 from the
9 Nebraska Capital Construction Fund for such purpose.

10 (2) The Department of Administrative Services is hereby
11 authorized to expend up to \$2,100,000 for purposes authorized
12 in subsection (3) of this section. There is included in the
13 appropriation to this program for FY2010-11 \$2,100,000 from the
14 Nebraska Capital Construction Fund for purposes authorized in
15 subsection (3) of this section.

16 (3) In addition to the purchase of property, the
17 Department of Administrative Services may purchase moveable and
18 fixed equipment, pay for moving costs associated with moving
19 agencies into any building which is acquired, pay for rental
20 expenses associated with moving agencies into any building which is
21 acquired, and defray any miscellaneous associated costs of moving
22 agencies into any building which is acquired.

23 Sec. 35. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
24 SERVICES

25 Program No. 935 - Nebraska Public Safety Communication
26 System Towers and Network Equipment Financing

27 FY2009-10 FY2010-11 FUTURE

1	GENERAL FUND	1,027,233	1,027,233	2,054,466
2	PROGRAM TOTAL	1,027,233	1,027,233	2,054,466

3 The unexpended State Building Fund appropriation balance
4 existing on June 30, 2009, is hereby reappropriated as General
5 Funds.

6 The Legislature hereby acknowledges and reaffirms the
7 directive made by Laws 2007, LB 320, section 46, which authorized
8 the Chief Information Officer to enter into a master lease
9 financing agreement through the Department of Administrative
10 Services for costs of radio towers and network equipment associated
11 with implementing the Nebraska Public Safety Communication System.
12 Total project costs may change as user partners are added to the
13 system, but the State of Nebraska portion of the System Towers
14 and Network Equipment Project cost, including financing, shall not
15 exceed \$10,680,754.

16 There is included in the total appropriation to this
17 program for FY2008-09 \$3,051,644 from the General Fund for costs
18 of radio towers and network equipment and to initiate repayment of
19 project financing.

20 There is included in the appropriation to this program
21 for FY2009-10 \$1,027,233 from the General Fund for costs of radio
22 towers and network equipment and to initiate and continue repayment
23 of project financing.

24 There is included in the appropriation to this program
25 for FY2010-11 \$1,027,233 from the General Fund for costs of radio
26 towers and network equipment and to initiate and continue repayment
27 of project financing.

1 It is the intent of the Legislature to appropriate
2 \$2,054,466 from the General Fund for the period including FY2011-12
3 through FY2013-14 for costs of radio towers and network equipment
4 and to complete repayment of project financing.

5 Sec. 36. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
6 SERVICES

7 Program No. 939 - State Capitol Complex

8		FY2009-10	FY2010-11	FUTURE
9	NEBRASKA CAPITAL	6,809,014	-0-	-0-
10	CONSTRUCTION FUND			
11	PROGRAM TOTAL	6,809,014	-0-	-0-

12 The Legislature hereby acknowledges and reaffirms the
13 directives made by Laws 1997, LB 386, section 55, which authorized
14 the State Capitol Masonry Restoration project. The Legislature
15 further acknowledges and reaffirms provisions of the Nebraska
16 State Capitol Preservation and Restoration Act which assign
17 responsibility for administration of the project to the Office of
18 the Nebraska Capitol Commission.

19 There is included in the appropriation to this program
20 for FY2009-10 \$6,809,014 from the Nebraska Capital Construction
21 Fund to complete the project. The project should be completed in
22 FY2010-11.

23 Sec. 37. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
24 SERVICES

25 Program No. 940 - Task Force for Building Renewal

26		FY2009-10	FY2010-11	FUTURE
27	CASH FUND	24,620,618	21,939,997	53,220,313

1 PROGRAM TOTAL 24,620,618 21,939,997 53,220,313

2 The Legislature hereby acknowledges and reaffirms the
3 directive made by section 77-2602, which is to place amounts from
4 the special privilege tax on cigarettes in the Building Renewal
5 Allocation Fund for FY1997-98 and continuing each fiscal year
6 until all the purposes of the Deferred Building Renewal Act have
7 been fulfilled. The Legislature hereby further acknowledges and
8 reaffirms the directives made by sections 81-188.01, 81-188.03,
9 and 88-188.05 which are to place amounts from certain depreciation
10 charges in the State Building Renewal Assessment Fund, University
11 Building Renewal Assessment Fund, and State College Building
12 Renewal Assessment Fund for purposes as provided in the Deferred
13 Building Renewal Act.

14 The appropriation to this program is for the purpose of
15 carrying out the provisions of the Deferred Building Renewal Act
16 which includes deferred repair, fire and life safety projects,
17 and compliance with the federal Americans with Disabilities Act
18 (ADA) of 1990. Funds may also be spent on projects related to
19 energy conservation. There is hereby appropriated any available
20 federal funds, plus investment income thereon, for this program for
21 FY2009-10 and FY2010-11. There is included in the appropriation to
22 this program for FY2009-10 an amount not to exceed \$200,000 cash
23 funds and for FY2010-11 an amount not to exceed \$200,000 cash funds
24 for building maintenance and renewal training, roof scans and other
25 testing procedures, and consulting work.

26 The funds appropriated in this section for actual
27 deferred repair, fire and life safety, compliance with the federal

1 Americans with Disabilities Act of 1990, and energy conservation
2 shall be matched by federal, private, and agency General, Cash,
3 and Revolving Funds as determined by the Task Force for Building
4 Renewal.

5 None of the funds appropriated to this program shall be
6 used for operating budget compliance with the federal Americans
7 with Disabilities Act of 1990. Expenditures for deferred repair,
8 fire and life safety projects, and compliance with the federal
9 Americans with Disabilities Act of 1990 may be made through
10 the same program on the Allotment Status Report in the Nebraska
11 Information System, except that expenditures for deferred repair,
12 fire and life safety projects, and compliance with the federal
13 Americans with Disabilities Act of 1990 should each be kept
14 separate by subprogram on the Budget Status Report in the Nebraska
15 Information System or through the use of the Grant Project Status
16 Report or some other accounting mechanism.

17 Sec. 38. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
18 SERVICES

19 Program No. 980 - Utility Improvements - Department of
20 Health and Human Services - Statewide

21	FY2009-10	FY2010-11	FUTURE
22 REVOLVING FUND	1,600,000	-0-	-0-
23 PROGRAM TOTAL	1,600,000	-0-	-0-

24 The Department of Administrative Services is hereby
25 authorized to make infrastructure improvements to all Department
26 of Health and Human Services campuses and Administrative
27 Services/State Building Division Campuses with the appropriation

1 to this program.

2 It is intended that the largest of the proposed projects
3 would be the connection of Building 16 at the Norfolk Regional
4 Center to the City of Norfolk Water System.

5 Sec. 39. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
6 SERVICES

7 Program No. 981 - Norfolk Regional Center - Central
8 Heating Plant

9		FY2009-10	FY2010-11	FUTURE
10	REVOLVING FUND	750,000	825,000	-0-
11	PROGRAM TOTAL	750,000	825,000	-0-

12 The Department of Administrative Services is hereby
13 authorized to replace the existing heating plant on the north
14 edge of the Norfolk Regional Center with a new heating plant
15 adjacent to Building 16. The new plant will be sized to support
16 only Building 16.

17 Sec. 40. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
18 SERVICES

19 Program No. 982 - State Capitol Elevators

20		FY2009-10	FY2010-11	FUTURE
21	NEBRASKA CAPITAL	1,000,000	892,479	-0-
22	CONSTRUCTION FUND			
23	PROGRAM TOTAL	1,000,000	892,479	-0-

24 The State Capitol Administrator is hereby authorized to
25 modernize and upgrade the four passenger elevators in the State
26 Capitol tower with new elevator systems.

27 There is included in the appropriation to this program

1 for FY2009-10 \$1,000,000 from the Nebraska Capital Construction
2 Fund and for FY2010-11 \$892,479 from the Nebraska Capital
3 Construction Fund to complete this project.

4 Sec. 41. There is hereby appropriated, unless otherwise
5 specified, for FY2009-10 and for FY2010-11 from undisbursed
6 balances existing on June 30, 2009, and on June 30, 2010,
7 respectively, to each agency for each program from the respective
8 funds for capital construction as follows:

9 (1) Agency No. 25 - Department of Health and Human
10 Services

11 Program Nos. 906, 922, 923, 924, and 931.

12 (2) Agency No. 27 - Department of Roads

13 Program No. 901, except that the unobligated biennium
14 appropriation balance shall lapse once all projects funded in
15 that biennium are completed, postponed to a future biennium, or
16 indefinitely postponed.

17 (3) Agency No. 28 - Department of Veterans' Affairs

18 Program No. 937 - Alliance State Veterans' Cemetery.

19 (4) Agency No. 31 - Military Department

20 Program Nos. 905, 906, 910, and 925.

21 (5) Agency No. 33 - Game and Parks Commission

22 Program Nos. 900, 901, 902, 919, 924, 960, 966, 967, 968,
23 969, 971, 972, 973, 975, 976, 977, 979, and 981, except that for
24 FY2009-10 only the undisbursed balances existing on June 30, 2009,
25 for the following programs and projects shall be reappropriated and
26 all other unobligated June 30, 2009, balances shall lapse:

27 Program No. 900 - State Park System Facility Improvements

1 and Motor Boat Access Facilities, less \$579,018 of unobligated
2 Cash Fund and \$20,613 of unobligated Federal Fund appropriation
3 authority.

4 Program No. 901 - State Facilities Deferred Maintenance,
5 less \$102,322 of unobligated Cash Fund appropriation authority

6 Program No. 902 - Trail Development Assistance, less
7 \$1,433 of unobligated Cash Fund appropriation authority

8 Program No. 919 - Political Subdivisions Aid

9 Program No. 924 - Wildlife Land Acquisitions and
10 Improvements

11 Program No. 960 - Park and Recreation Land Acquisition,
12 including the purchase of land for a new maintenance facility to
13 replace the facility located at 30th and Y Streets in Lincoln, less
14 \$266,731 of unobligated Cash Fund appropriation authority

15 Program No. 966 - Trail Development

16 Program No. 967 - Improvements to State Parks, less
17 \$217,431 of unobligated Cash Fund appropriation authority

18 Program No. 968 - State Historical Parks, less \$160,810
19 of unobligated Cash Fund appropriation authority

20 Program No. 969 - State Recreation Areas, less \$204,690
21 of unobligated Cash Fund appropriation authority

22 Program No. 971 - Wildlife Management Areas -
23 Improvements, less \$257,529 of unobligated Cash Fund appropriation
24 authority

25 Program No. 972 - Administrative Facilities -
26 Improvements, less \$328,414 of unobligated Cash Fund appropriation
27 authority

1 Program No. 973 - Fish production, less \$462,097 of
2 unobligated Cash Fund appropriation authority

3 Program No. 975 - Emergency Repairs - Park System, less
4 \$25,000 of unobligated Cash Fund appropriation authority

5 Program No. 976 - Emergency Repairs to Fish and Wildlife
6 Facilities

7 Program No. 977 - Nongame and Endangered Species Land
8 Acquisition and Development

9 Program No. 979 - Cowboy Trail - Emergency Repairs and
10 Deferred Maintenance, provided that deferred repair projects may be
11 addressed from the unobligated construction appropriations in this
12 program

13 Program No. 981 - Aquatic Habitat - Improvements

14 (6) Agency No. 46 - Department of Correctional Services
15 Programs Nos. 915, 916, 918, and 920.

16 (7) Agency No. 47 - Nebraska Educational
17 Telecommunications Commission

18 Program Nos. 911, 912, 917, 922, 925, and 926.

19 (8) Agency No. 50 - Board of Trustees of the Nebraska
20 State Colleges

21 Program Nos. 919, 920, 921, 945, 946, 951, 952, 993,
22 and 996, and any additional construction programs administratively
23 created relating to the Board of Trustees of the Nebraska State
24 Colleges and its campuses which are funded through cash funds,
25 federal funds, revolving funds, or private gifts or donations. The
26 undisbursed appropriation balance for Program No. 998 existing on
27 June 30, 2009, is hereby appropriated for Program No. 840 for

1 FY2009-10. Of such amount appropriated for Program No. 840 for
2 FY2009-10, the undisbursed balance existing on June 30, 2010, is
3 hereby reappropriated for FY2010-11.

4 (9) Agency No. 51 - University of Nebraska
5 Program Nos. 901, 902, 903, 905, 907, 908, 909, 912,
6 915, 917, 918, 920, 922, 925, 927, 928, 933, 934, 935, 937, 942,
7 943, 944, 946, 947, 948, 949, 951, 952, 953, 954, 955, 956, 958,
8 959, 960, 962, 964, 965, 966, 967, 968, 969, 970, 973, 974, 975,
9 976, 978, 980, 982, 983, 985, 989, 990, 992, 993, 994, and 997,
10 and any additional construction programs administratively created
11 relating to the University of Nebraska-Lincoln, the University
12 of Nebraska at Omaha, the University of Nebraska Medical Center,
13 the University of Nebraska at Kearney, the Nebraska College of
14 Technical Agriculture at Curtis, and the University of Nebraska
15 Central Administration which are funded through cash funds, federal
16 funds, revolving funds, or private gifts or donations.

17 (10) Agency No. 54 - Nebraska State Historical Society
18 Program No. 954.

19 (11) Agency No. 65 - Department of Administrative
20 Services
21 Program Nos. 901, 913, 920, 924, 932, 933, 935, 939, 940,
22 980, 981, and 982.

23 Appropriations to program numbers pertaining to funding
24 for the Deferred Building Renewal Act are hereby reappropriated.

25 The budget division of the Department of Administrative
26 Services is hereby authorized to implement the appropriation of
27 unexpended balances existing on June 30, 2009, such that unexpended

1 State Building Fund balances are reappropriated for FY2009-10 as
2 General Funds.

3 Sec. 42. FEDERAL FUNDS

4 Any federal funds not otherwise appropriated, any
5 additional federal funds made available to the credit of the
6 State Treasurer, and any unexpended balances in federal funds
7 on the operative date of this act are hereby appropriated and
8 reappropriated to the agency and project for which the funds were
9 allocated by the federal government.

10 Sec. 43. GIFTS AND BEQUESTS

11 Any gifts or bequests made available to the State of
12 Nebraska for any purpose or purposes, together with the income
13 thereof, shall be allocated to the expending agency designated by
14 the donor or, if none is designated by such donor, by the Governor.
15 No matching of state funds shall be required as a condition to
16 accept any gift or bequest. All gifts or bequests of personal
17 property in excess of \$10,000 shall be approved by the Governor
18 before acceptance, and all gifts or devises of real property in
19 excess of \$10,000 to be used for state purposes shall be approved
20 by the Governor and the Legislature before acceptance.

21 Expenditures from gifts or bequests may be expended
22 through any cash fund accounts, in which case the actual amount of
23 the gift or bequest is hereby appropriated to the expending agency
24 for the purpose or purposes designated by the donor and in addition
25 to the amounts appropriated in this act.

26 This section shall not apply to the University of
27 Nebraska.

1 Sec. 44. The One Hundred First Legislature acknowledges
2 that Article III, section 22, of the Constitution of Nebraska
3 provides that each Legislature shall make appropriations for
4 the expenses of the government. Consistent with this provision,
5 any appropriations enacted by prior Legislatures for fiscal
6 years beginning after June 30, 2009, are null and void unless
7 specifically reaffirmed by this Legislature.

8 Sec. 45. This act becomes operative on July 1, 2009.

9 Sec. 46. Since an emergency exists, this act takes effect
10 when passed and approved according to law.